

Date Mailed February 13, 2001

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation Into Ameritech Wisconsin's Unbundled Network
Elements

6720-TI-161

CONFIDENTIALITY DETERMINATION

On December 15, 2000, written applications were submitted by Ameritech Wisconsin, Inc. seeking confidential status for numerous Ameritech Wisconsin, Inc. cost studies submitted in this docket. The information in the applications and the associated control numbers are as follows:

<u>Information</u>	<u>Control number</u>
Unbundled DS3 Sub-Loop	00876
Emergency Number Service Access	00877
Wireless Emergency Number Service Access	00878
Unbundled Sub-Loops	00879
Sub-Loop Unbundling Nonrecurring Costs	00883
Reciprocal Compensation	01422
Broadband Services Nonrecurring Costs	01421
Combined Voice and Data Loop Nonrecurring Costs	01420
ULS Shared Transport	01419
Broadband Service	01418
Combined Voice and Data Loop Service	01417

On January 5, 2001, Mr. Jeffry J. Patzke, Administrative Law Judge, mailed to the applicant an interrogatory, the answers to which were necessary for a determination of confidential status. The interrogatory stated,

Except for identification of vendors, information from vendor contracts, Ameritech specific labor rates, Ameritech specific plant indexes, Ameritech specific distance measurements and Ameritech specific usage data not available in

other public reports, how would the inputs to the cost studies aid a competitor? For example, how would estimates of fill factors, capital costs, time intervals, probability of occurrence, proportion of manual processing, installation factors, maintenance factors, structure factors, weighting, and overhead loadings aid a competitor.”

The interrogatory was mailed within the 21 days provided in Wis. Admin. Code § PSC 2.06(4)(a). The interrogatory identified that a reply was required by February 5, 2001, according to Wis. Admin. Code § PSC 2.06(4)(b). As of February 8, 2001, no reply to the interrogatories had been received.

The above applications are denied in part and granted in part.

In the interrogatory, Mr. Jeff Patzke indicated he did not need any further information to determine the confidential status for identification of vendors, information from vendor contracts, Ameritech specific labor rates, Ameritech specific plant indexes, Ameritech specific distance measurements and Ameritech specific usage data not available in other reports.

1. The information listed above, for which no further information was necessary to determine confidential status, is assigned confidential status because it is information that would aid a competitor.

2. The Commission has the authority to compel the submittal of this information pursuant to Wis. Stat. § 196.02.

3. The Commission has authority to assign confidential status to the requested information under Wis. Stat. § 196.14.

According to Wis. Admin. Code § PSC 2.06(4)(b), if an extension has not been granted and if the applicant fails to answer the interrogatory within 30 days after the date the Commission mails the interrogatory, the Commission shall deny the application. However,

under Wis. Admin. Code § PSC 2.06(6) information for which confidential status has been requested shall not be open to public scrutiny until 40 days after the issuance of the confidentiality determination.

WHEREFORE:

1. The identification of vendors, information from vendor contracts, Ameritech specific labor rates, Ameritech specific plant indexes, Ameritech specific distance measurements and Ameritech specific usage data contained in documents with PSC control numbers 00876, 00877, 00878, 00879, 00883, 01422, 01421, 01420, 01419, 01418, and 01417 that is not available in other reports is GRANTED confidential status as the applicant has demonstrated that its request is consistent with the criteria for treating information as confidential.

This Confidentiality Determination is not a final determination under Public Records law; it is the Commission's initial decision for purposes of managing its files. This Confidentiality Determination does not prejudice the right of any person to submit a public records request to inspect the contents of the filings subject to this determination. The above applicant, upon receipt of this determination, shall serve a copy of this determination on all persons listed on the service list for docket 6720-TI-161 and shall file proof of service with the Commission within three calendar days of service.

2. As no extension was requested and the replies to the interrogatories were not filed within the required time period, the application is IN PART DENIED as required by Wis. Admin. Code § PSC 2.06(4)(b). Information contained in documents with PSC control numbers 00876, 00877, 00878, 00879, 00883, 01422, 01421, 01420, 01419, 01418, and 01417 which is not the identification of vendors, information from vendor contracts, Ameritech specific labor

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rates, Ameritech specific plant indexes, Ameritech specific distance measurements and Ameritech specific usage data not available in other reports is denied confidential status.

The information for which confidential status was denied shall be open to public scrutiny on March 21, 2001. Ameritech is directed to provide the Commission with a public version complying with this determination by March 21, 2001. If Ameritech fails to provide such a public version by the required date, the Commission shall provide a public version based on this determination.

Dated at Madison, Wisconsin, _____

For the Commission:

Jeffry Patzke
Administrative Law Judge

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01420 01419 01418 01417

cc: Wisconsin State Telephone Association